

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Proposing rule making related to concurrent enrollment programs and providing an opportunity for public comment

The State Board of Education hereby proposes to amend Chapter 12, “General Accreditation Standards,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 256.7(5).

State or Federal Law Implemented

This rule making implements, in whole or in part, 2019 Iowa Acts, chapter 164 [Senate File 603].

Purpose and Summary

These proposed amendments to Chapter 12 reflect legislative changes from the 2019 Legislative Session. Item 1 makes conforming modifications pursuant to 2019 Iowa Acts, chapter 164. Item 2 adds a new subrule to Chapter 12 to clarify the conditions under which a school district or accredited nonpublic school may use community college courses to meet offer-and-teach requirements. Item 2 also makes reference to new rule 281—97.8(261E) proposed in Notice of Intended Action **ARC 4686C** (IAB 10/9/19).

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

An agencywide waiver provision is provided in 281—Chapter 4.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on October 29, 2019. Comments should be directed to:

Nicole Proesch
Department of Education
Grimes State Office Building, Second Floor
Des Moines, Iowa 50319-0146
Phone: 515.281.8661
Email: nicole.proesch@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

October 29, 2019
9 to 10 a.m.

State Board Room, Second Floor
Grimes State Office Building
East 14th Street and Grand Avenue
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs by calling 515.281.5295.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend subrule 12.5(16) as follows:

12.5(16) Subject offering. A Except as provided for under subrule 12.5(21), a subject shall be regarded as offered when the teacher of the subject has met the licensure and endorsement standards of the state board of educational examiners for that subject; instructional materials and facilities for that subject have been provided; and students have been informed, based on their aptitudes, interests, and abilities, about possible value of the subject.

A subject shall be regarded as taught only when students are instructed in it in accordance with all applicable requirements outlined herein. Subjects which the law requires schools and school districts to offer and teach shall be made available during the school day as defined in subrules 12.1(8) to 12.1(10).

ITEM 2. Adopt the following **new** subrule 12.5(21):

12.5(21) Contracted courses used to meet school or school district requirements. A school or school district may use contracted community college courses meeting the requirements of rule 281—22.8(261E) under the following conditions.

a. A course or courses used to meet the sequential unit requirement for career and technical education under paragraph 12.5(5) “*i.*” One or more courses in only one of the six career and technical education service areas specified in paragraph 12.5(5) “*i.*” may be eligible for supplementary weighting under the provisions of 281—subrule 97.2(5).

b. A course or courses comprising up to a unit of science or mathematics in accordance with paragraph 12.5(5) “*c.*” or “*d.*” Such courses may be eligible for supplementary weighting under the provisions of 281—subrule 97.2(5).

c. Courses offered pursuant to paragraph 12.5(21) “*a.*” or “*b.*” shall be deemed to have met the requirement that the school district offer and teach such a unit under the educational standards of this rule.

d. An accredited nonpublic school may use contracted community college courses to meet offer-and-teach requirements for career and technical education and math or science established under subrule 12.5(5). Such courses may be eligible for funding under rule 281—97.8(261E).